

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 2, and 4-15 are pending in the present application, Claims 1, 4-6, 8-10, and 12-15 having been amended. Support for the amendment to Claims 1, 4-6, 8-10, and 12-15 is found, for example, on page 36, line 21 to page 37, line 8, and page 2, lines 1-9 of the specification. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claims 1, 2, 4, 5, and 7-15 were rejected under 35 U.S.C. §103(a) as unpatentable over Wheeler et al. (U.S. Patent Publication No. 2002/0026575, hereinafter Wheeler) in view of Craft et al. (U.S. Patent Publication No. 2002/0150243, hereinafter Craft), and further in view of Savage et al. (U.S. Patent No. 6,847,937, hereinafter Savage); and Claim 6 was rejected under 35 U.S.C. §103(a) as unpatentable over Wheeler in view Craft, in view of Savage, and further in view of Dwork (U.S. Patent No. 5,539,826, hereinafter Dwork).

With respect to the rejection of Claim 1 as unpatentable over Wheeler, Craft, and Savage, Applicants respectfully submit that the amendment to Claim 1 overcomes this ground of rejection. Amended Claim 1 recites

A communication terminal comprising:

acquiring means for acquiring electronic currency accompanied by a public key corresponding to a private key, the electronic currency usable as a charge in electronic procurement;

storing means for storing the electronic currency in the communication terminal;

receiving means for receiving an application electronically signed by the private key, through an ad hoc network, the application for transmitting some or all of the electronic currency from the storing means in the communication terminal to a device external to the communication terminal when purchasing a commodity or service;

verifying means for verifying the application through use of the public key;

transferring means for subtracting an amount of electronic currency from the electronic currency in the storing means equal to a charge for the commodity or service to determine a subtracted amount of electronic currency and transferring the subtracted amount of electronic currency to conduct electronic procurement through the ad hoc network to the device external to the communication terminal by use of the application when the verifying means successfully verifies the application; and

deleting means for deleting the application after a predetermined time has elapsed since a time when the receiving means received the application.

Wheeler, Craft and Savage, taken alone or in proper combination, do not disclose or suggest every element of amended Claim 1.

Claim 1 is amended to more clearly describe and distinctly claim the subject matter regarded as the invention. Particularly, Claim 1 is amended to change “value entity” to -- electronic currency--. The outstanding Office Action takes the position that a “value entity” is an account number. Applicants respectfully submit that an account number is not “electronic currency.” An account number does not itself express monetary value, and is not a medium of exchange.

Furthermore, Claim 1 is amended to more clearly describe and distinctly claim how electronic currency is transferred between a communication terminal and an external device. The claimed communication terminal includes a transferring means for subtracting an amount of electronic currency from the electronic currency in the storing means equal to a charge for the commodity or service to determine a subtracted value and transferring the subtracted amount of electronic currency to the external device. Wheeler does not disclose or suggest subtracting an amount from an account number. The account number of Wheeler

cannot equate to the claimed “electronic currency” because it is nonsensical to subtract an amount from an account number.

Furthermore, the money in the account corresponding to the account number does not correspond to the claimed “electronic currency.” In Wheeler, the money in the account corresponding to the account number is not transferred to the PDA, is not stored in the PDA, and is not transferred from the PDA to a device external to the PDA.

Furthermore, records of an account balance are not “electronic currency” because records themselves do not express monetary value, and are not a medium of exchange.

Furthermore, Craft, Savage, and Dwork do not cure the above-noted deficiencies in Wheeler.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 1 (and any claims depending therefrom) patentably distinguish over Wheeler, Craft, Savage, and Dwork, taken alone or in proper combination. Claims 4 and 12-15 recite elements similar to those of amended Claim 1. Applicants respectfully submit that Claims 4 and 12-15 patentably distinguish over Craft, Wheeler, Savage, and Dwork taken alone or in proper combination, for at least the reasons stated for amended Claim 1.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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